

201207361

Gregory Larsen

A group of approximately ten people was in the backyard of a multi-family residence in the Bronx. One man had finished doing repair work in his residence, and another was waiting for a tenant to return and open a unit so additional work could be done. Unbeknownst to them, officers were preparing to execute a search warrant on the building. When the officers arrived, they handcuffed the people in the backyard and searched the residence. The civilians stated that they complied with the officers' orders but that Detective Larsen nevertheless punched an individual and pointed his gun at him. When interviewed, Detective Larsen denied punching anyone but confirmed he did point his gun at an individual. He stated he did so because there were fifty people in the backyard, and no one was obeying any of the officers' commands to stay still. Detective Larsen testified that the people in the backyard resembled "the West Indian Day Parade or J'Ouvert" (both celebrations in Brooklyn in which large numbers of Black New Yorkers congregate). Detective Larsen also stated that there was a large carving knife on the scene, though he did not vouch for it. No one was arrested and no evidence of any crime was obtained. No other officer corroborated Detective Larsen's testimony – another officer confirmed that there were no more than ten people in the backyard, that they all complied with the officers' commands, and that there was no knife.

The CCRB found that the search of the premise was exonerated because it had been executed under a legally obtained warrant, but substantiated allegations of excessive force against Detective Larsen and found that he made false official statements in his CCRB interview.

The NYPD closed the case as "previously adjudicated with discipline," but there is no record in the NYPD officer discipline database of prior discipline issued in connection with the incident.

Interview Details

██████████ was interviewed at the CCRB on July 13, 2012. ██████████ is a ██████ year old West Indian male, who is 6'2" tall, weighs 181 pounds, and has black hair and brown eyes. This interview began at 2:34 p.m.

On June 6, 2012, at around 1:40 p.m., ██████████ had just finished doing some personal work on his residence located at ██████████ in the Bronx. ██████████ was in the backyard with a number of other people, waiting for his landlord ██████████. ██████████ was inside of the kitchen of ██████████. The kitchen has an entrance that leads to the backyard of ██████████.

While waiting in the backyard, more than 20 unidentified plainclothes officers suddenly rushed in with guns drawn, screaming for everybody to "get the fuck down." The officers were all male and most were Caucasian. ██████████ was unable to provide detailed physical descriptions for the officers. Before ██████████ could get down, an unidentified officer, PO1, punched him in the nose, only seconds after the police officers had come into the backyard. Before being punched, ██████████ had not said anything, or done anything physically. His nose began bleeding as a result of the punch.

After the punch, PO1 brought ██████████ to the ground with one hand to the shoulder, while a second unidentified officer, PO2, kept a gun at ██████████ neck. Because he was on the ground, ██████████ could not see PO2 or see what the officers were doing. He did however see a third unidentified officer, PO3, drag ██████████ out of the kitchen. Afterwards, PO3 pushed ██████████ to the ground in the backyard. ██████████ was also able to hear the officers knock down the door of ██████████ and search inside the building. ██████████ is connected to ██████████ by its backyard. ██████████ was on the ground for about twenty minutes and did not actually see the search. Afterwards, ██████████ was handcuffed for about an hour and a half.

██████████ asked a fourth unidentified officer, PO4, who said he was in charge, what the officers were doing. The officers professed to be following through with a no-knock warrant, but they did not further explain the situation. The incident ended after two hours with everyone being released. No one was summonses or arrested. ██████████ cousin, ██████████ and ██████████ friend, ██████████, were both present for the incident. After the incident, ██████████ went to ██████████ Hospital for the injury to his nose as he was having headaches as a result. This interview concluded at 2:47 p.m.

PO1 – Caucasian male, 5'11" tall, dark brown/black hair, medium build, plainclothes

PO2 – Unidentified

PO3 – Unidentified

PO4 – Caucasian male, 6'1" tall, plainclothes

Interview Details

[REDACTED] was interviewed at the CCRB on February 8, 2013. [REDACTED] was [REDACTED] years at the time of the incident. He is a black male who is 5'9" tall, weighs 180 pounds and has brown hair and brown eyes. The interview started at 1:07 p.m.

On June 6, 2012, at approximately 1:40 p.m., [REDACTED] and his [REDACTED]-year-old son were in the backyard of [REDACTED] residence, located at [REDACTED] in the Bronx. [REDACTED] is [REDACTED] aunt. [REDACTED] described [REDACTED] as a multi-family private home. [REDACTED] cousin, [REDACTED] arrived at [REDACTED] in his [REDACTED] uniform because he had to perform work inside of the [REDACTED] of the home. However, [REDACTED] had to wait for the [REDACTED] tenants to open their apartment door, so he went to wait in the backyard with [REDACTED]. There is an alleyway that leads to the backyard of the residence. This alleyway and the backyard is shared with the adjacent building, [REDACTED].

Shortly thereafter, approximately 15 unidentified officers dressed in plainclothes and riot gear entered the backyard with guns drawn yelling, "Get down! Get down!" When asked if any of the officers used profane language, [REDACTED] confirmed that they did but he could not articulate or recall the expletives used. [REDACTED] immediately complied with the officers' directive and got on the ground with his son. There were approximately 30 civilians in this backyard at the time the officers arrived. All of the civilians, with the exception of [REDACTED] complied with the officers' directive.

[REDACTED] stood up from the bench he was sitting on and attempted to show his work credentials to the officers. However, almost as soon as the officers issued the directive to get on the ground, PO1, rushed towards [REDACTED] punched him on the face and pushed him to the ground. [REDACTED] nose was bloody as a result. PO1 then went into the kitchen of [REDACTED] and instructed the landlord, identified via the investigation as [REDACTED], to get on the ground. The entrance to the kitchen is in alleyway. [REDACTED] whom [REDACTED] described as an elderly male, did not comply and asked why he needed to get on the ground. PO1 pointed his gun at [REDACTED] and put the gun up against [REDACTED] neck. Afterwards, PO1 pushed [REDACTED] to the ground.

All of the civilians, with the exception of [REDACTED] [REDACTED] year old son, were handcuffed to each other. [REDACTED] did not wish to provide the names of the other civilians who were present for this incident, stating that he would have to speak with them first. The officers had all of the civilians remove their belongings from their pockets, which they did. The officers then frisked all of the civilians. The officers asked all of the civilians if they had the keys to [REDACTED] but no one had the keys. The officers then broke the door to [REDACTED] and entered and searched. The search lasted approximately 1 hour to 1 ½ hours.

After the officers completed the search of [REDACTED] they exited and approached the civilians. One of the officers had a folder that contained a photo of a male named [REDACTED] and a warrant. The officers informed the civilians that they were looking for [REDACTED] but they all denied knowing him. [REDACTED] recognized the individual and spoke to him after this incident. [REDACTED] informed [REDACTED] that the warrant the officers had was no longer active as he had resolved the matter prior to this incident. An unidentified officer, PO2, who [REDACTED] believed was a supervisor, approached [REDACTED] and apologized for PO1's actions. [REDACTED] informed [REDACTED] after this incident that PO1 also apologized to him. No one was arrested or summonsed as a result of this incident. The interview concluded at 1:25 p.m.

PO1 (Hispanic or Caucasian, male, plainclothes)

PO2 (Hispanic, male, plainclothes)

Interview Details

Detective Gregory Larsen was interviewed at the CCRB on May 10, 2013. Detective Larsen was [REDACTED] years old at the time of the incident. He is a white male who is 6' tall, weighs 215 pounds and has brown hair and green eyes. On the day of the incident, Detective Larsen was assigned to a field team at Narcotics Borough Bronx. He worked in plainclothes from 11:27 a.m. to 10 p.m. with Detective Jesus Guzman. Detective Larsen's memo book entries note verbatim that: "At 1:18 p.m., tactical meeting conducted at rear lot of the 44th Precinct stationhouse under supervision and tactical planning of Sergeant John Adorno, Lieutenant Christopher Vonkessel, Captain Brian Gill and case officer, Detective Michael Smyth. Bronx search warrant number [REDACTED] of [REDACTED] Assigned to rear security. Cuff and toss with Detective Guzman. Possible firearms, Crypt gang members, possible pit bulldog and 6-Wild gang members crew. At 1:45 p.m., search warrant executed at [REDACTED] One UF-250 (Stop, Question and Frisk Report) prepared. Force used to restrain and control due to an observation of a large six-inch carving knife in close proximity/reachable area of below listed subject. [REDACTED] M/B, [REDACTED], [REDACTED] [REDACTED] The interview started at 9:44 a.m.

On June 6, 2012, at approximately 1:18 p.m., Detective Larsen attended a tactical meeting in the rear lot of the 44th Precinct stationhouse. During this meeting, the history and layout of [REDACTED] was discussed, as well as crime patterns. The field team was informed that they would likely encounter guns, a pit bulldog and gang members at the location. The Field Intelligence Officer, Sergeant Franklin Bohr from the Intelligence Criminal Section obtained the information relayed during the meeting. Sergeant Bohr obtained this information from a credible source, likely from a Confidential Informant, or from previous interactions and positive buys at the location. The Intelligence Criminal Section requested a search warrant for the location, but were unable to execute the warrant themselves. As such, Narcotics Borough Bronx was instructed to execute the search warrant. Detective Smyth was the assigned case officer. The warrant was for narcotics, guns and an unidentified subject. After the tactical meeting, the field team left the location. Detective Larsen left with Detective Guzman in an unmarked vehicle.

At approximately 1:45 p.m., the field team arrived at [REDACTED] The field team split up at the location. Detective Larsen was assigned to rear security with Detective Guzman. He recalled that there were other officers who assisted them with rear security but he was unable to identify these officers. Detective Larsen stated that other modules of Narcotics Borough Bronx had to assist them, as this was a large and dangerous operation. Part of the field team went to the entrance of the residence and prepared to take the door down as Detective Larsen, Detective Guzman and unidentified officers went past an iron gate to access the alleyway by the residence. This alleyway led to the backyard of [REDACTED]

When Detective Larsen and the other officers entered the backyard, they identified themselves as officers and ordered everyone to get on the ground and not to move. Detective Larsen had his gun drawn when he entered the backyard. There were approximately 50 people in the backyard and the scene was completely chaotic. Several people fled the location by jumping over fences. Detective Larsen was completely terrified because he and his fellow officers were completely outnumbered and no one was obeying their orders. Detective Larsen was unsure what the civilians were doing in the backyard when they entered. Detective Larsen was also unsure if the civilians ran when the field team broke down the door to the residence or if they ran when the officers entered the backyard.

Detective Larsen recalled seeing a 6 inch carving knife on the ground, scattered bottles of alcoholic beverages and a strong odor of marijuana in the backyard. Although he could not recall what the civilians were doing in backyard, Detective Larsen stated that it appeared that the civilians had been loitering or congregating in the backyard. He described the scene as a large party, similar to the West Indian Day Parade or juvay. Detective Larsen stated that the chaotic scene caused him to fear serious injury or death. Detective Larsen did not say, "Get the fuck down," because he "does not speak that way." Detective Larsen did not use any profanity during the course of this incident. Detective Larsen did not hear any officers using profanity during this incident.

Interview Details

Detective Larsen immediately approached one of the males, later identified as [REDACTED] and ordered him to stop moving. [REDACTED] did not comply and continued to move. Detective Larsen was unable to articulate the movements made by [REDACTED]. Detective Larsen could not recall punching [REDACTED]. Detective Larsen was the only officer who interacted with [REDACTED]. Detective Larsen did not see any officer punching [REDACTED]. [REDACTED] went to the ground. Detective Larsen could not recall whether [REDACTED] was pushed to the ground or if he went to the ground on his own. Detective Larsen feared for his safety when [REDACTED] was on the ground because he had his hands tucked underneath him and the carving knife was within arm's reach. Detective Larsen feared that [REDACTED] would reach for the knife because he could not see his hands. Ultimately, Detective Larsen handcuffed [REDACTED]. Detective Larsen could not recall pointing his gun at [REDACTED] neck, face or head. Detective Larsen stated that he likely pointed his gun at [REDACTED] but not at his neck, face or head.

Detective Larsen could not recall seeing an elderly male at the location. Detective Larsen did not interact with any other individuals besides [REDACTED]. Detective Larsen did not see an officer pushing or dragging [REDACTED]. Detective Larsen did not know what happened with the individuals who fled. Detective Larsen did not know whether officers pursued these individuals. Detective Larsen could not recall any statements made by [REDACTED] past that he is an employee of [REDACTED] after which he produced his identification card to him. [REDACTED] did not make any complaints of pain or injury nor did he have any visible injuries. Detective Larsen and the other officers in the backyard waited until the warrant was executed, which he indicated was a prolonged period of time. Detective Smyth vouchered several narcotics-related items from the residence. After the warrant had been executed, Detective Larsen prepared a UF-250 report for [REDACTED] and released him. The other officers also prepared UF-250 reports for all of the other civilians that were detained in the backyard during the execution of the warrant. Afterwards, the officers left the location.

Detective Larsen could not recall whether the unidentified subject was apprehended. However, he recalled that no one was brought to the stationhouse. Detective Larsen left the carving knife on the ground and never vouchered it. He stated, "In hindsight, I should have vouchered it." Detective Larsen explained that he did not voucher the knife because it was not used in the commission of a crime and because no one was ultimately taken into police custody. The interview concluded at 10:09 a.m.

Interview Details

Detective Jesus Guzman was interviewed at the CCRB on August 7, 2013. Detective Guzman was [REDACTED] years old at the time of the incident. He is a Hispanic man who is 5'5" tall, weighs 180 pounds and has brown hair and brown eyes. On the day of the incident, Detective Guzman was assigned to a field team at Narcotics Borough Bronx. He worked in plainclothes from 9:27 a.m. to 6 p.m. with Detective Gregory Larsen. Detective Guzman's memo book notes verbatim that: "At 1 p.m., vicinity of 44th Precinct for buy and bust at [REDACTED] The interview started at 9:03 a.m.

On June 6, 2012, at approximately 1:40 p.m., Detective Guzman and Detective Larsen went to assist the 44th Precinct Module of Narcotics Borough Bronx with the execution of a search warrant at [REDACTED] in the Bronx. Detective Guzman and Detective Larsen were assigned to secure the rear of the location with approximately nine unidentified officers from the 44th Precinct Module. Detective Guzman was unable to identify any of the officers present in the backyard of the location besides Detective Larsen.

When they entered the backyard the officers yelled, "Police! Don't move! Let me see your hands!" There were more than 10 people in the backyard who appeared to be hanging out. Everyone complied. No one attempted to flee. Detective Guzman immediately handcuffed an unidentified black man and took no further actions while in the backyard. Detective Guzman could not recall any additional information regarding the pedigree of the individual he handcuffed. A photograph of [REDACTED] was shown to Detective Guzman. However, Detective Guzman did not recognize [REDACTED] Detective Guzman could not recall seeing any weapons in the backyard. Detective Guzman could not recall whether the other officers had any issues with the other civilians in the backyard. Detective Guzman recalled that all of the civilians were compliant. Detective Guzman also recalled that the civilians were upset and yelled while they were temporarily detained.

Detective Guzman did not see any officers with guns drawn besides the bunker and bunker security. Detective Larsen did not point his gun at any of the civilians in the backyard. Detective Larsen did not punch any of the civilians. Detective Guzman did not see any officers dragging or otherwise using force against an elderly male. Detective Guzman did not interact with any other civilian other than the one male he handcuffed. Detective Guzman did not use force against any individuals in the backyard. Detective Guzman did not hear any officers using profane language during this incident. Detective Guzman, Detective Larsen and the remaining officers secured the backyard and awaited additional orders while the search warrant was executed. After approximately an hour, the individuals in the backyard were released and Detective Guzman left the location. The interview concluded at 9:12 a.m.